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MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Development Administrator
DATE: November 21, 1968
SUBJECT: BOARD OF APPEAL REFERRALS

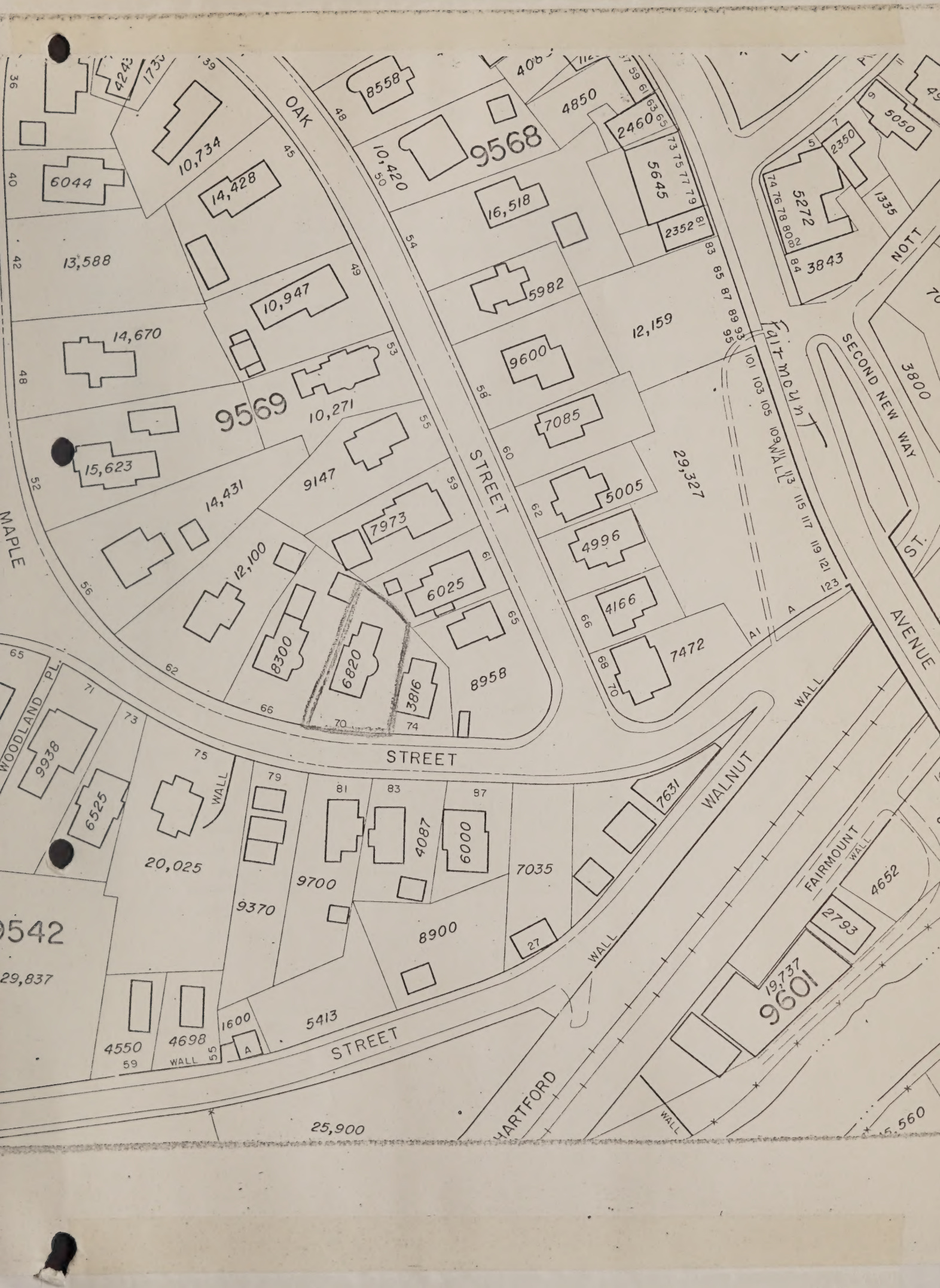
Re: Petition No. Z-1296
Thomas F. Mulvey
70 Maple Street, Hyde Park

Petitioner seeks a variance to change occupancy from a one family dwelling to a two family dwelling in a Residential (R-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed.</u>
Sect. 14-2 Lot area for additional dwelling unit is insufficient	3000 sq.ft./du	1820 sq.ft./du

The property, located on Maple Street near the intersection of Maple and Oak Streets, contains a 2½ story frame dwelling on a lot area of 6820 square feet. The proposed conversion is reasonable and would not adversely effect the adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-1296, brought by Thomas F. Mulvey, 70 Maple Street, Hyde Park, for a variance of insufficient lot area for additional dwelling unit to change occupancy from a one family dwelling to a two family dwelling in a Residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The proposal is reasonable and would not adversely effect the adjacent properties.



Re: Petitions Nos. Z-1297-Z-1300
 Saverio Nardelli
 15-27, 20-32, 29-41, 34-46 Westgate Road
 West Roxbury

Petitioner seeks four Forbidden Use Permits and nine variances to change the occupancy of (4) two story and basement structures from 28 to 42 apartments in a Residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
<u>15-27 Westgate Road</u>			
Sect. 8-7	Dwelling for 42 families is Forbidden in an R-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sq.ft./du	0
Sect. 15-1	Floor area ratio is excessive	0.5	0.62
Sect. 17-1	Usable open space is insufficient	1000 sq.ft./du	873 sq.ft./du
<u>20-32 Westgate Road</u>			
Sect. 8-7	Dwelling for 42 families is Forbidden in an R-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sq.ft./du	0
<u>29-41 Westgate Road</u>			
Sect. 8-7	Dwelling for 42 families is Forbidden in an R-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sq.ft./du	0
Sect. 15-1	Floor area ratio is excessive	0.5	0.62
Sect. 17-1	Usable open space is insufficient	1000 sq.ft./du	906 sq.ft./du
<u>34-46 Westgate Road</u>			
Sect. 8-7	Dwelling for 42 families is Forbidden in an R-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sq.ft./du	0
Sect. 15-1	Floor area ratio is excessive	0.5	0.55

The proposed increase would violate a 1967 Board of Appeal decision which provided that there be no more than 28 apartments in each building and prohibited basement apartments. The Boston Redevelopment Authority recommended denial of such increases at that time. The existing structures were constructed on filled wetland areas and have experienced serious basement flooding during previous rainstorms. The staff is of the opinion that the proposed increase is inappropriate and would intensify an existing hazardous condition with respect to the flooding of wetland areas. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1297-Z-1300, brought by Saverio Nardelli, 12-27, 20-32, 29-41, 34-46 Westgate Road, West Roxbury, for four Forbidden Use Permits and variances of insufficient lot area for additional dwelling unit, usable open space and excessive floor area ratio to change the occupancy from 28 to 42 apartments in a Residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The existing structures were constructed on filled wetland areas and have experienced serious basement flooding during previous rainstorms. The Authority continues to support a 1967 Board of Appeal decision which provided that there be no more than 28 units per building and prohibited basement apartments. The proposed increase is inappropriate and would intensify an existing hazardous condition with respect to the flooding of wetland areas.

Re: Petition No. Z-1301
Ralph H. & Patricia M. Arabian
49 Alaric & 38 Spring Sts., West Roxbury

Petitioner seeks a Conditional Use Permit and two variances to erect a car wash for two cars in a Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A car wash with necessary signs is Conditional in an L-.5 district		
Sect. 18-4	Front yard is insufficient	15 ft.	8 ft.
Sect. 20-1	Rear yard is insufficient	20 ft.	7 ft.

The property, located on Spring Street at the intersection of Spring and Alaric Streets, contains 4114 square feet of vacant land. The proposed commercial automatic car wash would be inappropriate to the adjacent residential properties and would create a serious safety problem with respect to the existing traffic on Spring Street. Recommend denial.

VOTED: That in connection with Petition No. Z-1301, brought by Ralph H. and Patricia M. Arabian, 49 Alaric & 38 Spring Streets, West Roxbury, for a Conditional Use Permit and variances of insufficient front and rear yards to erect a one story car wash for two cars in a Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. The proposed commercial automatic car wash would be inappropriate to the adjacent residential properties and would create a serious safety problem with respect to the existing traffic on Spring Street.

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RAILROAD

5412

3800

90,700
PARKING
7798

13,615

5250

684

15

19

STREET

8797

59

13,544

47

41

39

5500

37 WALL

27

21

Spring

3493

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3286

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34

32

28

9300

24

8043

18

8044

9032

17,750

7807

12,750

5000

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STREET

STREET

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Zoning Referrals

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Re: Petition No. Z-1302
William & Ella M. Galvin
49 Monument Avenue, Charlestown

Petitioner seeks a Forbidden Use Permit and two variances to change occupancy from one family to three families in an Apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 Any dwelling converted for more families is Forbidden in an H-1 zone if the requirements of lot area and open space are less than $\frac{1}{2}$ of that required by the code.		
Sect. 14-2 Lot area for additional dwelling unit is insufficient	1000 sq.ft./du	0
Sect. 17-1 Usable open space is insufficient	400 sq.ft./du	117 sq.ft./
The property, located on Monument Avenue near the intersection of Monument Avenue and Monument Square in the Charlestown Urban Renewal Area, contains a four story brick one family dwelling. The petitioner is unable to comply with the lot area and open space requirements of the code because of the existing row housing and small lots. The proposed conversion would not have a detrimental effect on the general residential character of the area. Recommend approval.		

VOTED: That in connection with Petition No. Z-1302, brought by William and Ella M. Galvin, 49 Monument Avenue, Charlestown, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit and usable open space to change occupancy from one to three families in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The existing row housing and small lot area prohibit the petitioner from complying with the code requirements. The proposed conversion to three families would not have a detrimental effect on the general residential character of the area.



CHARLESTOWN HIGH SCHOOL
2543
19,360

BUNKER HILL MONUMENT

2571

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2240

2250

900

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WINTHROP SQ
38,44

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Re: Petition No. Z-1303
Mark Willard Realty Trust
15 Clayton Street, Dorchester

Petitioner seeks two forbidden use permits and three variances to erect a one story building for a warehouse and food processing-packaging in a Residential (R-.8) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 8-7 A warehouse is forbidden in an R-.8 District		
Sect. 8-7 Food processing is forbidden in an R-.8 District		
Sect. 10-1 Parking is not allowed in front yard		
Sect. 19-1 Side yard is insufficient	10 ft.	5 ft.
Sect. 20-1 Rear yard is insufficient	40 ft.	5 ft.

The property, located on Clayton Street at the intersection of Clayton and Fenton Streets, contains 32,797 square feet of vacant land. The petitioner would erect a one story masonry structure for a warehouse and processing and packaging of food products for subsequent distribution to institutions. The proposal is a further encroachment of industrial development in a residential area and would contribute to the deterioration of the immediate neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1303, brought by Mark Willard Realty Trust, 15 Clayton Street, Dorchester, for two forbidden use permits and variances of parking not allowed in front yard, insufficient side and rear yards, to erect a one story building for warehouse and food processing-packaging in a Residential (R-.8) District, the Boston Redevelopment Authority recommends denial. The proposal is a further encroachment of industrial development in a residential area and would contribute to the deterioration of the immediate neighborhood.



FREEPORT STREET

STREET

STREET

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STREET

STREET

Greenwich

Fenton

Clayton

GRIFFIN CT.

HARTFORD AUTHORITY

RAILROAD

PARKING

PARKING

PARKING

PARKING

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Re: Petition No. Z-1308
John and Ruth L. Turner
136 Orange St., West Roxbury

Petitioner seeks a conditional use permit to erect a one story addition to a one family dwelling and day care nursery school in a residential (R-.5) District. The proposal would violate the code as follows:

Sect. 8-6. An addition to a pre-existing conditional use requires a Board of Appeal hearing.

The property, located on Orange Street near the intersection of Orange and Cornell Streets, contains a 2½ story frame dwelling on a lot of 13,200 square feet. The petitioner would erect a one story addition to the right side of the structure and would increase the number of children at the care facility from 15 to approximately 30. The building does not now and would not display any exterior institutional appearance. The facility would serve a useful function to the surrounding neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1308, brought by John and Ruth L. Turner, 136 Orange Street, West Roxbury, for a conditional use permit to erect a one story addition to a one family dwelling and day care nursery school in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. The day care facility would serve a useful function and would be appropriate to the neighborhood.



Re: Petition No. Z-1304
Wentworth Institute
550 Huntington Avenue, Roxbury

Petitioner seeks a Conditional Use Permit and a variance to erect a three story recreation building and a gymnasium in an Apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 A College or University with a parking area within the front yard is a Conditional use in an H-1 district.		
Sect. 18-1 Front yard is insufficient	25 ft.	15 ft.

The property, (approximately 10.5 acres) is bounded by Huntington Avenue, Ruggles, Parker and Ward Streets adjacent to the Boston Housing Authority Mission Hill development. The parcel is within the Fenway Urban Renewal Area and contains 3 existing school buildings. The proposed recreational facility would be erected to the rear of the existing structures and would front on Parker Street. The building setback of approximately 15 feet, although in violation of the zoning code, would conform with the alignment of the existing school structure on Parker Street. The proposed off-street parking area, however, would violate the front yard requirement and the staff is of the opinion that the petitioner should be required to redesign this parking area to provide a setback which would conform with the existing and proposed school building alignment. Recommend approval subject to above condition.

VOTED: That in connection with Petition No. Z-1304, brought by Wentworth Institute, 550 Huntington Avenue, Roxbury, for a Conditional Use Permit and a variance of insufficient front yard to erect a three story recreation building and a gymnasium in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided the off-street parking area setback conforms with the existing and proposed school building alignment along Parker Street. The parcel is within the Fenway Urban Renewal Area and contains three existing school buildings. The building setback of approximately 15 feet, although in violation of the zoning code, would conform with the alignment of the school structure on Parker Street. The Authority recommends, however, that the off-street parking area be designed to align with the existing and proposed school buildings.



550 HUNTINGTON AVE.

Z-1304

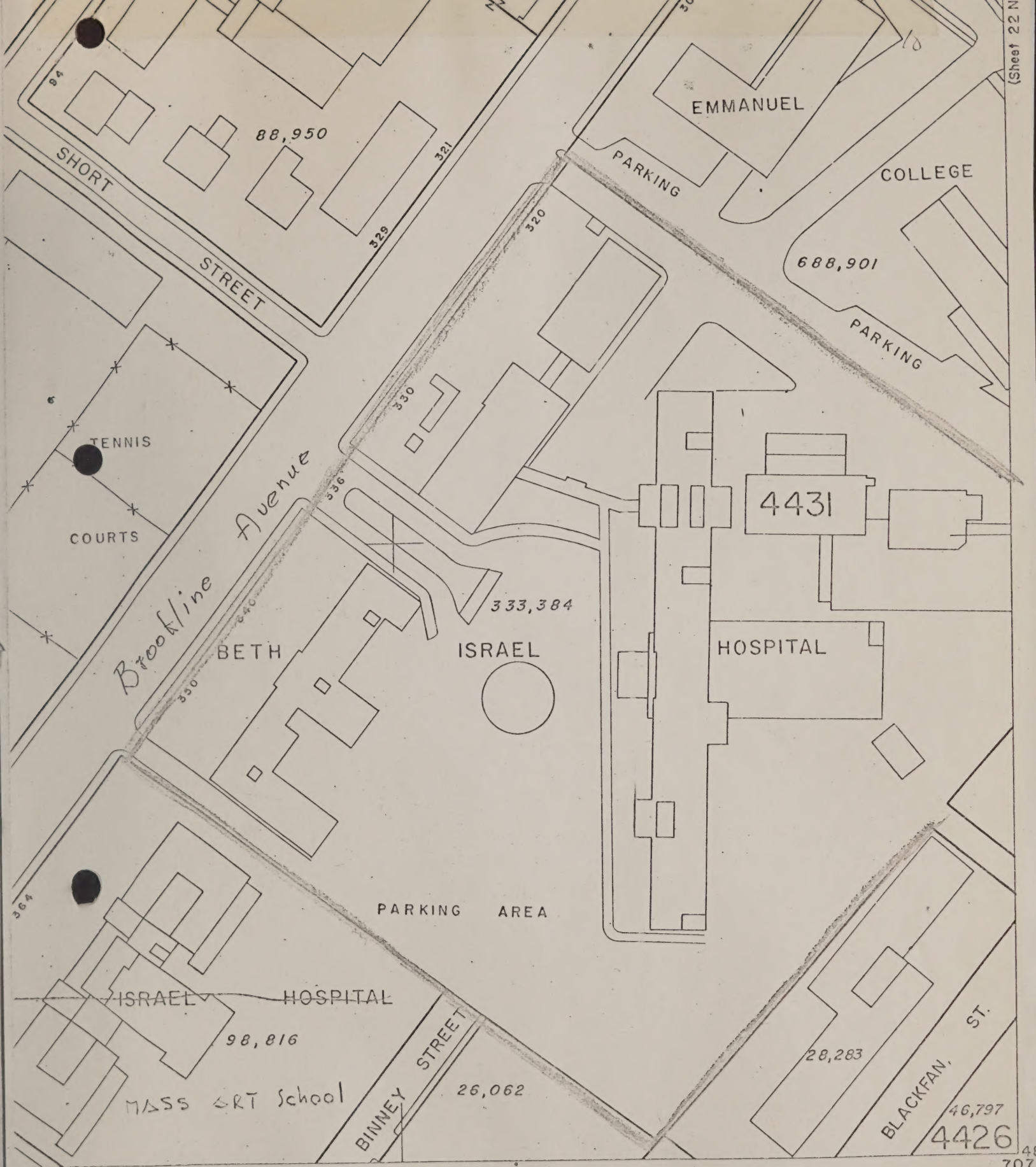
Re: Petition No. Z-1307
The Beth Israel Hospital Association
330 Brookline Avenue, Boston

Petitioner seeks a Forbidden Use Permit to increase the fees charged for the parking of 550 cars in an Apartment (H-1) district. The proposal would violate the code as follows:

Sect. 8-7 Parking of cars for a fee is Forbidden in an H-3 district.

The property is located on Brookline Avenue near the intersection of Brookline and Longwood Avenues. The parking lot is managed by a Professional Parking Company under the control of the hospital. The petitioner proposes to increase the maximum parking fee for patient and visitor parking, for a 24-hour period from \$.50 to \$1.50. The proposal is reasonable and would sustain supervision, operation and maintenance of the lot. It is the opinion of the staff, however, that the petitioner should be required to provide suitable landscaping along the property frontage to appropriately screen the parking of vehicles within this area. Recommend approval.

VOTED: That in connection with Petition No. Z-1307, brought by the Beth Israel Hospital Association, 330 Brookline Avenue, Boston, for a Forbidden Use Permit to increase the fees charged to patients and visitors for the parking of 550 cars in an Apartment (H-3) district, the Boston Redevelopment Authority recommends approval. The Authority recommends, however, that the petitioner provide suitable landscaping along the property frontage to appropriately screen the parking of vehicles within this area.



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